

COMMEMORATING THE 80TH ANNIVERSARY OF THE
OKEECHOBEE HURRICANE OF SEPTEMBER 1928 AND
ITS ASSOCIATED TRAGIC LOSS OF LIFE

SEPTEMBER 16, 2008.—Referred to the House Calendar and ordered to be printed

Mr. OBERSTAR, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H. Res. 1376]

The Committee on Transportation and Infrastructure, to whom was referred the resolution (H. Res. 1376) commemorating the 80th anniversary of the Okeechobee Hurricane of September 1928 and its associated tragic loss of life, having considered the same, report favorably thereon with amendments and recommend that the resolution as amended be agreed to.

The amendments are as follows:

Strike all after the resolving clause and insert the following:

That the House of Representatives—

(1) memorializes the tragic loss of approximately 3,000 lives in the United States and its territories due to the Okeechobee Hurricane of 1928;

(2) recognizes the enduring importance of hurricane preparedness measures, enhanced evacuation, emergency plans, and disaster response training especially in economically disadvantaged communities to prevent a disproportionate impact of natural disasters and disparities in disaster response;

(3) recognizes the role of relevant Federal agencies, research institutes, universities, and disaster response organizations in providing intensity forecasting, long-range projections of hurricane activity, emergency management, and hurricane and storm damage reduction to better prepare for, respond to, and mitigate the extensive loss of life and devastating impacts of hurricanes and storms;

(4) fully supports initiatives to enhance our understanding of storm impacts on physical structures, including water management systems and other infrastructure that may be vulnerable to the most intense of storms;

(5) urges the State of Florida and local governments to—

(A) commemorate and memorialize the 80th anniversary of the Okeechobee Hurricane of 1928 and its associated tragic loss of approximately 3,000 lives in the United States and its territories; and

(B) appropriately recognize mass graves of the victims of the Okeechobee Hurricane;

(6) urges the Federal government, and State and local governments, to—

(A) take appropriate actions to encourage hurricane and disaster preparedness, education, response, and mitigation; and

(B) support programs and initiatives that promote disaster preparedness, education, response, and mitigation especially in economically disadvantaged and migrant communities;

(7) commends the Army Corps of Engineers for its ongoing rehabilitation of the Herbert Hoover Dike and encourages continued collaboration among Federal, State, and local governments toward expeditious completion of the rehabilitation effort; and

(8) recommits itself to hurricane preparedness, safety education, response, and mitigation for all communities in the 110th Congress.

Amend the preamble to read as follows:

- Whereas the Okeechobee Hurricane, also known as Hurricane San Felipe Segundo, formed in the Atlantic Ocean, traveled through the Caribbean Sea, and up the eastern coast of the United States between September 10 and September 20, 1928;
- Whereas on September 16, 1928, the Okeechobee Hurricane made landfall in the continental United States at Palm Beach County, Florida, and proceeded north over Lake Okeechobee, after which it decreased steadily in intensity before dying in Ontario, Canada;
- Whereas the Okeechobee Hurricane attained the highest classification of Category 5 for tropical cyclone intensity on the Saffir-Simpson Hurricane Scale, with winds exceeding 160 miles per hour;
- Whereas the Okeechobee Hurricane is officially recognized by the National Oceanic and Atmospheric Administration as the second deadliest hurricane on record in United States history, exacting the tragic loss of approximately 3,000 lives in the United States and its territories;
- Whereas approximately 75 percent of fatalities from the Okeechobee Hurricane in the United States were migrant farm workers, the vast majority of which were African-American;
- Whereas the extensive impact of the Okeechobee Hurricane on African-American migrant workers in southern and central Florida was memorialized in the famous 1937 literary work of Zora Neale Hurston, *Their Eyes Were Watching God*;
- Whereas the Okeechobee Hurricane exacted horrendous damage valued at over \$16,000,000,000, adjusted for inflation, to the infrastructure and towns of western Palm Beach County alone;
- Whereas many of those killed by the Okeechobee Hurricane in southern Florida were buried in segregated mass graves, such as the more than 670 African-American victims in a mass grave in West Palm Beach;
- Whereas the Nation and the State of Florida have taken steps to respond to the Okeechobee Hurricane and other storm events with the construction of storm damage reduction projects to mitigate the loss of life and property;
- Whereas the Herbert Hoover Dike's system surrounding Lake Okeechobee consists of 143 miles of levee with 19 culverts, hurricane gates, and other water control structures that provide flood and storm damage reduction and other water control benefits;
- Whereas on November 2, 2007, the Army Corps of Engineers Dam Safety Action Classification External Peer Review Panel designated the Herbert Hoover Dike with Class I designation of "urgent and compelling," the highest risk category;
- Whereas a breach of the Herbert Hoover Dike or similarly designated structures throughout the Nation could potentially cause catastrophic loss of life and poses grave economic and environmental consequences to the surrounding communities; and
- Whereas economically disadvantaged and migrant communities are at increased risk for extensive damage and loss of life associated with natural disasters:
- Now, therefore, be it

PURPOSE OF THE LEGISLATION

House Resolution 1376, as amended, commemorates the 80th anniversary of the Okeechobee Hurricane of 1928, recognizes the tragic loss of life which resulted from the hurricane, and urges the Federal Government and State and local governments to take appropriate actions to encourage hurricane and disaster preparedness, education, response, and mitigation.

BACKGROUND AND NEED FOR LEGISLATION

The Okeechobee Hurricane, also known as the Hurricane San Felipe Segundo, traveled across the Atlantic Ocean from September 10–20, 1928, making landfall in the United States in Palm Beach County, Florida, on September 16, 1928. The Okeechobee Hurricane is the second deadliest hurricane in history, killing more than 4,000 people in the United States and the Caribbean.

Many people who died in the Okeechobee Hurricane died as a result of the storm's effect on Lake Okeechobee overwhelming the small dike that surrounded the lake and flooding hundreds of acres. After the hurricane, a series of larger dikes were built around the lake. The Herbert Hoover Dike was the culmination of large dike construction around Lake Okeechobee and was completed in the 1960s. The Herbert Hoover Dike has fallen into disrepair and is now being rehabilitated.

SUMMARY OF THE LEGISLATION

House Resolution 1376, as amended, commemorates the 80th anniversary of the Okeechobee Hurricane of 1928, recognizes the tragic loss of life which resulted from the hurricane, and urges the Federal Government and State and local governments to take appropriate actions to encourage hurricane and disaster preparedness, education, response, and mitigation.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On July 24, 2008, Representative Alcee L. Hastings introduced H. Res. 1376.

On July 31, 2008, the Committee on Transportation and Infrastructure met in open session to consider H. Res. 1376. The Committee adopted an amendment in the nature of a substitute to H. Res. 1376 by voice vote. The Committee ordered H. Res. 1376, as amended, reported favorably to the House by voice vote with a quorum present.

RECORD VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each recorded vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with consideration of H. Res. 1376 or ordering the resolution reported. A motion to order House Resolution 1376, as amended, reported favorably to the House was agreed to by voice vote with a quorum present.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

With respect to the requirements of clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, H. Res. 1376 is a House

resolution and therefore does not have the force of law. As such, there is no cost associated with this legislation for fiscal year 2008, or for any fiscal year thereafter.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee advises that the resolution contains no measure that authorizes funding, so no comparison of the total estimated funding level for the relevant programs to the appropriate levels under current law is required.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the resolution contains no measure that authorizes funding, so no statement of general performance goals and objectives for any measure that authorizes funding is required.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee advises that the resolution contains no measure that authorizes funding, so no cost estimate nor comparison for any measure that authorizes funding is required.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H. Res. 1376 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

CONSTITUTIONAL AUTHORITY STATEMENT

With respect to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, H. Res. 1376 is a resolution of the House of Representatives and therefore does not have the force of law. As such, clause 3(d)(1) of rule XIII does not apply.

FEDERAL MANDATES STATEMENT

H. Res. 1376 contains no federal mandates.

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt State, local, or tribal law. The Committee states that H. Res. 1376 does not preempt any State, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or

accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Res. 1376 makes no changes in existing law.

